



CITY OF PATASKALA BOARD OF ZONING APPEALS

City Hall, Council Chambers
621 West Broad Street
Pataskala, Ohio 43062

STAFF REPORT

March 12, 2024

Conditional Use Application CU-24-001

Applicant:	Tyler Nighland
Owner:	Nighland Enterprises, LLC.
Location:	14652 E Broad Street, Reynoldsburg, OH 43068 (PIDs: 063-144954-00.000, 063-141504-01.004)
Acreage:	+/- 3.33-acres total
Zoning:	GB – General Business
Request:	Requesting approval of a Conditional Use pursuant to Section 1215.08 of the Pataskala Code to allow for the establishment of Watercraft and/or Recreational Vehicle storage on two (2) lots.

Description of the Request:

The applicant is seeking approval of a Conditional Use pursuant to Section 1215.08 of the Pataskala Code to allow for the establishment of Watercraft and/or Recreational Vehicle storage on two (2) lots.

Staff Summary:

There are two (2) separate lots that the Applicant has requested a Conditional Use for. They are:

14652 E Broad Street: PID – 063-144954-00.000

- Acreage: +/- 0.999
- Frontage: E Broad Street to the south.
- Existing Structures: 2,064-square foot single-family home built in 1941.
- Current Use: Residential

0 E Broad Street: PID – 063-141504-01.004

- Acreage: +/- 2.33
- Frontage: None, landlocked.
- Existing Structures: None.
- Current Use: Vacant.

As proposed, the Applicant is requesting approval of a Conditional Use to allow for the establishment of a watercraft and recreational vehicle storage facility on both lots. Pursuant to Section 1249.04(2) of the Pataskala Code; watercraft and/or recreational vehicle storage is a Conditional Use in the GB – General Business zoning district.

Per the submitted site plan, the existing home would be demolished. A new two-way paved asphalt access onto E Broad Street, 30-feet wide, would be constructed leading to an asphalt milling paved surface area for storage. As proposed, the setbacks for the paved interior area are 10-feet from all sides of the property, excepting the south side of the rear (north) parcel, where it is proposed at 23-feet. The proposed storage area would be crossing a stream, which would be piped in by a concrete culvert. 155 12'x30' storage spaces are provided, with light poles interspersed throughout the storage area. L2 type screening,

a 3' high shrub row with one (1) tree per 30 lineal feet is provided along the frontage, while the entire lot will be surrounded by a six (6) foot high fence. Perimeter screening is only proposed on the east and west sides of the south lot, adjacent to 14628 and 14530 E Broad Street.

In the Narrative Statement as submitted by the Applicant, they believe that the proposed use will be harmonious in appearance with the properties in the vicinity and would not change the essential character of the area. The Applicant intends to utilize an underground basin with several drainage points throughout the storage area to accommodate stormwater runoff, and the basin will drain to the creek running along the south edge of the north lot. Further stated, the Applicant believes the proposed use will not involve any uses, activities, process, materials, or conditions that would be detrimental to any persons, property, or the general welfare of the public. Additionally, they have stated that the proposed use will not produce much traffic, and that the existing lot is screened by existing trees of all sizes.

Staff Review: *The following summary does not constitute recommendations but merely conclusions and suggestions from the Staff Review, the full text of which follows the summary.*

Planning and Zoning Staff:

The Future Land Use map recommends this property as "Neighborhood Commercial", which the Comprehensive Plan (2021) recommends as "small-scale retail and office uses that complement and support nearby residential uses. Drive-throughs, big box stores, gas stations, and other auto-related uses are discouraged". The proposed use would not fall in line with the recommendations of the Comprehensive Plan, although, the property is currently zoned GB – General Business, which allows for Watercraft and/or Recreational Vehicle Storage as a Conditional Use pursuant to Section 1249.04(2) of the Pataskala Code.

Staff have reviewed the proposed plan and have drafted a list of comments which is attached to this Staff Report. Several items to note from the attached Staff Review:

- Proposed pavement setbacks from adjacent residential districts on the north lot do not meet Code. Section 1249.05 requires a minimum of 25', shown at 10'.
- No perimeter screening shown on plan for north lot. Narrative Statement mentions existing trees, will need more details on the type, location, condition of existing trees (tree survey) to verify that adequate screening is provided if intending to utilize existing trees as part of screening requirements.
- 6' fence shown around border of storage area, no details on proposed type of fencing. Chain link will not count towards the screening requirements.
- Millings are not a permitted parking surface material. Will need a Variance.

As the property is within the Transportation Corridor Overlay District (TCOD), any development of the site would first need approval of a TCOD Application before the Planning and Zoning Commission. The Planning and Zoning Commission will consider the layout, setbacks, screening, signage, etc.

Pursuant to Section 1215.09 of the Pataskala Code, all Conditional Uses shall be carried out within six (6) months from the date of approval. The Applicant may apply for a one-time extension of an additional six (6) months if need be. Staff has no further comments on the proposal.

City Engineer (full comments attached)

1. Stream crossing will require US Army Corp of Engineers, Ohio EPA, and local permitting – likely requiring hydraulic modeling of the stream bed based on length of the enclosure and the tributary area for the stream. Proposed stream enclosure will require environmental mitigation.
2. Narrative statement describes an underground stormwater detention and water quality system. It appears the outfall for this system will have to contain a pump system to discharge up into the stream.
3. A Traffic Impact Study may be required, the project will require TCOD Approval.
4. Plan is missing required landscaping elements.
5. The gate appears to only allow one vehicle and trailer to stack, additional vehicles waiting for the gate may stack out onto Broad Street.
6. Additional R/W may need to be dedicated for future improvements of Broad St as part of TCOD process.

Public Service Department (full comments attached)

1. Per Engineer's comment #2: if a pump is required for the underground stormwater detention, then underground detention will not be allowed, and the applicant will have to design an alternative.

SWLCWSD (full comments attached)

1. Water/Sanitary service to existing structure on east lot will need to be abandoned in accordance with SWLCWSD regulations if being removed.

West Licking Joint Fire District (full comments attached)

1. Due to the distance from the nearest hydrant(s), a hydrant will need to be installed on the property in the middle island near the culvert. Reference Fire District Regulations Section J, Note B.

Other Departments and Agencies

No other comments were received.

Surrounding Area:

Direction	Zoning	Land Use
North	R-20 – Medium Density Residential	Single-Family Homes
East	GB – General Business R-20 – Medium Density Residential	Church CPA Office
South	GB – General Business RM – Multi-Family Residential	Apartments Miniwarehouses
West	GB – General Business R-20 – Medium Density Residential	Single-Family Homes Vacant

Conditional Use Requirements:

According to Section 1215.04 of the Pataskala Code, the Board of Zoning appeals shall consider whether the conditional use at the proposed location:

1. *Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on the application.*
2. *Will be harmonious with and in accordance with the general objectives or with any specific objective of the City comprehensive plan and/or this Code.*
3. *Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
4. *Will not be hazardous or disturbing to existing or future neighboring uses.*
5. *Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
6. *Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.*
7. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.*
8. *Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.*
9. *Will not result in destruction, loss or damage of a natural, scenic, or historic feature of major importance.*

Furthermore, Section 1215.05 allows other factors to be considered when determining if a conditional use is appropriate. In Staff's opinion the following factors from Section 1215.05 are applicable to Conditional Use Application CU-24-001:

- 1215.05(A)(7): All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or to the community in general.
- 1215.05(B)(1): No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway.

Department and Agency Review

- Zoning Inspector – No comments.
- Public Service – See attached.
- City Engineer – See attached.
- SWLCWSD – See attached.
- Police Department – No comments.
- West Licking Joint Fire District – See attached.
- Licking Heights School District – No comments.

Conditions:

Should the Board choose to approve the applicant's request, the following conditions may be considered:

1. The Applicant shall address all comments from the City Engineer, Public Service Department, SWLCWSD, West Licking Joint Fire District, and Planning and Zoning Staff.
2. The Applicant shall carry out the Conditional Use within six months from the date of approval pursuant to Section 1215.09 of the Pataskala Code.
3. All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or to the community in general.
4. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway.

Motion:

For your convenience, the following may be considered by the Board of Zoning Appeals when making a motion:

"I move to approve a Conditional Use pursuant to Section 1215.08 of the Pataskala Code for application CU-24-001 ("with the following conditions" if conditions are to be placed on the approval)."



CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

621 West Broad Street, Suite 2A
Pataskala, Ohio 43062

14652 E Broad Street Conditional Use Review

March 12, 2024

General Comments

- Stormwater management plan and calculations will be required as part of the site engineering (Construction Plans) process.
- Will be crossing a stream – will require permitting from US Army Corp of Engineers and Ohio EPA.
 - Basin is proposed to drain to creek – may need OEPA permitting to discharge into waterway. Recommend not allowing for maintenance activities (winterizing, oil change, etc.) on premises to limit pollutant discharge.
- Provide height of pole lights and type of fixture to be used. Cutoff/downcast type to avoid light pollution and spillover to neighboring properties.
- Screening: Narrative Statement states that existing trees will be used as perimeter screening. Will need a tree survey to confirm compliance with the requirements of Pataskala Code. Note should be included on plans stating that “Any existing tree within the perimeter screening buffer that is removed, dead, or diseased, shall be replaced in-kind with a tree meeting the requirements of Section 1283.06(7)”.
- The east end of the concrete culvert is shown on a neighbor’s property – must be within your own property or set up an easement with the neighbor.

Chapter 1249 – General Business District

Section 1249.04 – Conditional Uses

- 1249.04(2) Watercraft and/or recreational vehicle storage. Refer to Section 1215.05(A)(9).
 - Conditional Use Application pending (CU-24-001)

Section 1249.05 – General Requirements of the GB District

- 1249.05(C) – Setbacks and Yards
 - 1249.05(C)(2)(b): When abutting a residential zoning district; 35’ for structures, 25’ feet for paved areas.
 - Rear area north of existing property line is proposed at 10’ setback for parking area. Minimum is 25’.
 - 1249.05(C)(3)(b): When abutting a residential zoning district; 35’ for structures, 25’ feet for paved areas.
 - Rear setback (north) does not meet as proposed at 10’.
- 1249.05(G) – Trash and Garbage Control: All trash and garbage shall be stored in container systems which are located and enclosed so as to effectively screen them from view. Screening of trash and garbage areas shall meet the requirements of Section 1283.06. Container systems shall not be located in front yards.
 - No dumpster/trash receptables shown. For given use, assumed not needed, however, if present indicate location on plans and provide adequate screening.

Chapter 1259 – Transportation Corridor Overlay District (TCOD)

Section 1259.03 – Jurisdictional Boundaries

- Property is within TCOD boundary. TCOD Application must go before the Planning and Zoning Commission for approval prior to permitting.
- As part of the TCOD process, the Planning and Zoning Commission has the authority to approve several items even if they do not strictly meet the requirements of Pataskala Code. Those being:
 - Setbacks.
 - Required Parking Numbers.
 - Buffer zones.

Section 1259.05 – Design Standards

- 1259.05(A) – Traffic Safety Measures: One or more of the following traffic safety measures as identified in subsections 1-6 shall be required in an effort to aid access and traffic management:
 - None shown. At the discretion of the City Engineer/Public Service Director
- 1259.05(B) – Setback Requirements: The front yard setback shall be based on the recommended right-of-way width as outlined in the Master Thoroughfare Plan.
 - Front setback is shown as being measured from the centerline of the road. Must be measured from the recommend right-of-way width, which is 120' for Broad Street, or 60' off the centerline of the road.
- 1259.05(E) – Utility and Transmission Lines: New or upgraded utility, cable or other communications lines, and transmission lines located within the TC Overlay District (including those located along the rear property line) shall be located underground and be designed and located in such a manner that they will have minimum adverse visual and physical impact on the roadside.
 - Any new utility lines required, such as those feeding proposed light poles will be required to be underground. Add note to the plan.
- 1259.05(F) - Pedestrian/Handicap Access. Sidewalks shall be provided along each developed parcel or upon change in use of an existing developed parcel within the TC Overlay District if a sidewalk does not exist at the time of the development or change in use of the parcel.
 - Along Broad Street, an 8' wide asphalt path is required. May do fee-in-lieu for the path as the path would not connect with anything at this time.

Chapter 1283 – Landscaping and Screening

Section 1283.07 – Application of Landscaping Standards

- 1283.07(B) Uses within the GB zoning district shall provide the following perimeter screening:
 - Front: L2
 - Required on: South frontage of E Broad Street.
 - As proposed: L2 is provided along the frontage of E Broad Street.
 - Side: L3/L4 if abutting a residential use.
 - Required on: east/west side property lines of both south and north lot. South property line of north lot where abutting residential uses for approximately 60-feet.
 - As proposed: "Screening" shown along east/west sides of south lot, but no details as to what that "screening" is to be. No screening provided at east/west, or south side property lines. Narrative Statement states that there are existing trees, will need details.
 - Rear: L3/L4 if abutting a residential use.

- Required on: North rear property line of north lot.
- As proposed: None shown. Narrative Statement states there are existing trees, will need details. If using existing trees, will need to provide statement on plan that any trees that are dead, diseased, or otherwise removed will be replaced in-kind.

Section 1283.06 – Landscaping and Screening Standards

- 1283.06(3)(b) – Low Screen (L2) shall consist of:
 - Enough low shrubs to form a continuous screen 3' in height, 95% opaque year-round. 1 tree per 30 lineal feet.
 - A 3' berm, or wall, may be substituted for shrubs.
- 1283.05(4)(b) – High Screen (L3) shall consist of:
 - Enough high shrubs to form a screen 6' in height, 95% opaque year-round. 1 tree per 30 lineal feet.
 - A 6' wall/fence as described in L4 may be substituted for the shrubs.
- 1283.05(5)(b) – High Wall (L4) shall consist of:
 - A 6' tall wall or fence, not less than 100% opaque. Chain link is not permitted. 1 tree per 30 lineal feet, and 4 high shrubs (6' in height) per 30 lineal feet.

Chapter 1291 – Parking and Loading

Section 1291.02 – General Requirements

- 1291.02(A)(4): All off-street parking shall be hard-surfaced with asphaltic cement, concrete, pavers to provide a durable and dust-free surface.
 - Asphalt milling is not a permitted paving surface. Will need a Variance to allow.

Chapter 1295 – Signs

- Any proposed signage would need to be included in the TCOD Application. Height, sign area, location, type, etc. Subject to the requirements of Chapter 1295.

From: [Lenhart, Tony](#)
To: [Jack Kuntzman](#); [Felix Dellibovi](#); [Bruce Brooks](#); [Doug White](#); [Kevin Miller](#); [laitken@lhschools.org](#); [kperkins@laca.org](#); ["Chris Gilcher"](#); [Chris Sharrock](#); [Antonio Anzalone](#); [Alan Haines](#)
Cc: [Scott Fulton](#); [Lisa Paxton](#)
Subject: RE: Pataskala BZA Review Memo for 03-12-2024
Date: Wednesday, February 28, 2024 11:12:59 AM
Attachments: [image001.png](#)

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Good Morning,

American Structurepoint offers the following comments:

CU-24-001 (14652 E Broad):

- 1. Stream crossing will require US Army Corp of Engineers, Ohio EPA, and local permitting – likely requiring hydraulic modeling of the stream based on the length of the enclosure and the tributary area for the stream. The proposed stream enclosure will require environmental mitigation.*
- 2. The narrative submitted describes an underground stormwater detention and water quality system. It appears the outfall for this system will have to contain a pump system in order to discharge up into the stream.*
- 3. A Traffic Impact Study may be required for this project and the project may require TCOD review and approval.*
- 4. Plan is missing required landscaping elements such as required trees and proper perimeter buffering.*
- 5. Gate appears to only allow one vehicle and trailer to stack, then additional vehicles waiting for the gate may stack out onto Broad Street.*
- 6. Sidewalk may be required along the frontage of the property.*
- 7. Additional ROW may need to be dedicated for future improvements to Broad Street.*

CU-24-002 (Starbucks):

- 1. The proposed access point on Broad Street appears too close to a major intersection as it is shown at the same point as the taper begins for the right-turn deceleration lane for the intersection to the west.*
- 2. A Traffic Impact Study may be required for this project and the project may require TCOD review and approval.*
- 3. Note that the pavement condition of Richard Connine St is poor and should be treated soon - as this development will add a significant amount of traffic to this roadway.*
- 4. The plan does not show an area reserved for stormwater detention and water quality treatment.*

From: [Antonio Anzalone](#)
To: [Jack Kuntzman](#); [Felix Dellibovi](#); tlenhart@structurepoint.com; [Bruce Brooks](#); [Doug White](#); [Kevin Miller](#); laitken@lhschools.org; kperkins@laca.org; "Chris Gilcher"; [Chris Sharrock](#); [Alan Haines](#)
Cc: [Scott Fulton](#); [Lisa Paxton](#)
Subject: RE: Pataskala BZA Review Memo for 03-12-2024
Date: Friday, March 1, 2024 3:21:35 PM

Jack,

Please see PSD's comments below:

Conditional Use CU-24-001:

1. Per American Structurepoint's comment #2, if a pump system is required for the underground stormwater detention, then the underground detention will not be allowed and the developer/engineer will have to design an alternative system to accommodate the stormwater runoff.

Conditional Use CU-24-002:

1. The RI/RO access point will not be allowed in the turn-lane or the turn-lane taper.

Antonio Anzalone

Assistant City Engineer

City of Pataskala

621 W. Broad Street, Suite 2B

Pataskala, Ohio 43062

Office: 740.927.3873

Cell: 740.652.0685

Email: aanzalone@ci.pataskala.oh.us

From: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>

Sent: Tuesday, February 20, 2024 11:03 AM

To: Felix Dellibovi <fdellibovi@ci.pataskala.oh.us>; tlenhart@structurepoint.com; Bruce Brooks <bbrooks@pataskalapolice.net>; Doug White <DWhite@westlickingfire.org>; Kevin Miller <kevin.miller@lhschools.org>; laitken@lhschools.org; kperkins@laca.org; 'Chris Gilcher' <cgilcher@swlcws.com>; Chris Sharrock <csharrock@ci.pataskala.oh.us>; Antonio Anzalone <aanzalone@ci.pataskala.oh.us>; Alan Haines <ahaines@ci.pataskala.oh.us>

Cc: Scott Fulton <sfulton@ci.pataskala.oh.us>; Lisa Paxton <lpaxton@ci.pataskala.oh.us>

Subject: Pataskala BZA Review Memo for 03-12-2024

Good Morning,

You are receiving this email because one or more of the Application(s) submitted for the **March 12, 2024**, Board of Zoning Appeals hearing is within your jurisdiction. Please see the list below for which Applications are being submitted for your review.

From: [Chris Gilcher](#)
To: [Jack Kuntzman](#); [Felix Dellibovi](#); tlenhart@structurepoint.com; [Bruce Brooks](#); [Doug White](mailto:DWhite@westlickingfire.org); [Kevin Miller](mailto:Kevin.Miller@lkschools.org); laitken@lkschools.org; kperkins@laca.org; [Chris Sharrock](#); [Antonio Anzalone](#); [Alan Haines](#)
Cc: [Scott Fulton](#); [Lisa Paxton](#)
Subject: RE: Pataskala BZA Review Memo for 03-12-2024
Date: Wednesday, February 21, 2024 8:30:49 AM
Attachments: [image001.png](#)

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Jack,

Conditional Use CU-24-001: Water and sanitary sewer services will need to be abandoned in accordance with the SWLCWS District Rules & Regulations if the existing structure is being removed. Please contact the District office at 740-927-0410 prior to demolition of the existing structure.

Thanks,

CJ Gilcher
Operations Director
8718 Gale Road
Hebron, Ohio 43025
Ph: 740-928-2178



From: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>
Sent: Tuesday, February 20, 2024 11:03 AM
To: Felix Dellibovi <fdellibovi@ci.pataskala.oh.us>; tlenhart@structurepoint.com; Bruce Brooks <bbrooks@pataskalapolice.net>; Doug White <DWhite@westlickingfire.org>; Kevin Miller <kevin.miller@lkschools.org>; laitken@lkschools.org; kperkins@laca.org; Chris Gilcher <cgilcher@swlcws.com>; Chris Sharrock <csharrock@ci.pataskala.oh.us>; Antonio Anzalone <aanzalone@ci.pataskala.oh.us>; Alan Haines <ahaines@ci.pataskala.oh.us>
Cc: Scott Fulton <sfulton@ci.pataskala.oh.us>; Lisa Paxton <lpaxton@ci.pataskala.oh.us>
Subject: Pataskala BZA Review Memo for 03-12-2024

Good Morning,

From: [Doug White](#)
To: [Jack Kuntzman](#)
Subject: RE: Pataskala BZA Review Memo for 03-12-2024
Date: Friday, March 1, 2024 1:25:51 PM

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Jack,

The Fire District has reviewed the plans and we have comments for the following permit applications.

CU-24-001: Do to the distance long from the nearest hydrant located to the east and to the west of the property, a hydrant shall be installed on the property in the middle island that is close to the concrete culvert. Reference the Fire Districts regulations section J note b.

CU-24-002: No comment.

From: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>
Sent: Tuesday, February 20, 2024 11:03 AM
To: Felix Dellibovi <fdellibovi@ci.pataskala.oh.us>; tlenhart@structurepoint.com; Bruce Brooks <bbrooks@pataskalapolice.net>; Doug White <DWhite@westlickingfire.org>; Kevin Miller <kevin.miller@lhschools.org>; laitken@lhschools.org; kperkins@laca.org; 'Chris Gilcher' <cgilcher@swlcws.com>; Chris Sharrock <csharrock@ci.pataskala.oh.us>; Antonio Anzalone <aanzalone@ci.pataskala.oh.us>; Alan Haines <ahaines@ci.pataskala.oh.us>
Cc: Scott Fulton <sfulton@ci.pataskala.oh.us>; Lisa Paxton <lpaxton@ci.pataskala.oh.us>
Subject: Pataskala BZA Review Memo for 03-12-2024

Good Morning,

You are receiving this email because one or more of the Application(s) submitted for the **March 12, 2024**, Board of Zoning Appeals hearing is within your jurisdiction. Please see the list below for which Applications are being submitted for your review.

Conditional Use CU-24-001: Felix Dellibovi, American StructurePoint, Bruce Brooks, Doug White, Kevin Miller, CJ Gilcher, Public Service Department.

Conditional Use CU-24-002: Felix Dellibovi, Chris Sharrock, American StructurePoint, Bruce Brooks, Doug White, Kasey Perkins, Public Service Department.

If you have any comments or concerns regarding these applications, please have them submitted to me **no later than Monday, March 4th**. They will be included in the Staff Report that is given to the Board members. If you have questions regarding these applications, feel free to contact me. A link to download the applications is below.



CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

621 West Broad Street, Suite 2A
Pataskala, Ohio 43062

CONDITIONAL USE APPLICATION

(Pataskala Codified Ordinances Chapter 1215)

Property Information		Staff Use
Address: 14652 E Broad Street, Reynoldsburg, OH 43068		Application Number: CU-24-001
Parcel Number: 063-141504-01.004 & 063-144954-00.00		Fee: 300-
Zoning: GB	Acres: 3.33	Filing Date: 2-7-24
Water Supply: <input type="checkbox"/> City of Pataskala <input checked="" type="checkbox"/> South West Licking <input type="checkbox"/> On Site		Hearing Date: 3-12-24
Wastewater Treatment: <input type="checkbox"/> City of Pataskala <input checked="" type="checkbox"/> South West Licking <input type="checkbox"/> On Site		Receipt Number: CU-24-001
Applicant Information		
Name: Tyler Nighland		
Address: c/o Law Office of W. Douglas Lowe, 23 E Church St.		
City: Newark	State: OH	Zip: 43055
Phone: 740-202-9134	Email: hart@wdlowelaw.com	
Property Owner Information		
Name: Nighland Enterprises LLC		
Address: 74 East Ave SW		
City: Pataskala	State: OH	Zip: 43062
Phone: 740-202-9134	Email: hart@wdlowelaw.com	
Documents		
<input checked="" type="checkbox"/> Application		
<input checked="" type="checkbox"/> Fee		
<input checked="" type="checkbox"/> Narrative		
<input checked="" type="checkbox"/> Site Plan		
<input checked="" type="checkbox"/> Deed		
<input checked="" type="checkbox"/> Area Map		
Conditional Use Information		
Request (Include Section of Code): Request for a conditional use permit to allow for Watercraft and/or Recreational Vehicle Storage in the GB Zoning District. (Section 1249.04(2)).		
Describe the Project: Nighland Enterprises LLC wishes to operate a RV and Boat storage lot on this property.		

Documents to Submit

Conditional Use Application: Submit 1 copy of the conditional use application.

Narrative Statement: Submit 1 copy of a narrative statement explaining the following:

- The reason the conditional use has been requested.
- The specific reasons why the conditional use is appropriate as it pertains to Section 1215.04 of the Pataskala Code:
 1. *Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on this application.*
 2. *Will be harmonious with and in accordance with the general objectives, or with any specific objective of the City comprehensive plan and/or this Code.*
 3. *Will be designed, constructed, operated and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
 4. *Will not be hazardous or disturbing to existing or future neighboring uses.*
 5. *Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
 6. *Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.*
 7. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but not limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.*
 8. *Will have vehicular approaches to the property which shall be so designed as to not create interference with traffic on surrounding public thoroughfares.*
 9. *Will not result in destruction, loss, or damage of a natural, scenic, or historical feature of major importance.*
- Specific standards for conditional uses can be found in Section 1215.05 of the Pataskala Code.
- Wireless Telecommunication Facilities must also meet the requirements outlined in Section 1293.06(B) of the Pataskala Code.

Site Plan: Submit 1 copy (unless otherwise directed by staff) of a site plan to scale of the subject property indicating the following:

- All property lines and dimensions
- Location and dimensions of all existing and proposed buildings and structures.
- Setbacks from property lines for all existing and proposed buildings, structures and additions
- Easements and rights-of-way
- Driveways
- Floodplain areas
- Location of existing wells and septic/aerator systems.
- Any other information deemed necessary for the conditional use request

Deed: Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained from the Licking County Recorder's website here: <https://apps.lcounty.com/recorder/paxworld/>

Area Map: Submit 1 copy of an area map showing the property and the surrounding area. Area maps can be obtained from the Licking County Auditor's website here: <https://www.lickingcountyohio.us/>

Signatures

I certify the facts, statements and information provided on and attached to this application are true and correct to the best of my knowledge. Also, I authorize City of Pataskala staff to conduct site visits and photograph the property as necessary as it pertains to this conditional use request.

Applicant (Required):

Tyler Nigland

Date:

10-11-23

Property Owner: (Required):

Tyler Nigland

Date:

10-11-23

Nighland Enterprises, LLC Narrative Statement

Nighland Enterprises respectfully requests that this Board grant its conditional use request. Given Pataskala's close proximity to Buckeye Lake, Dillon State Park, and other recreational areas, as well as the continued growth of the City of Pataskala, there is a growing need for secure spaces dedicated to the storage of RV's and Boats in the off-season. Nighland Enterprises intends to develop this property to fill that need.

This property is zoned General Business District. Section 1249.04 lists "Watercraft and/or recreational vehicle storage" as a conditionally permitted use. Given the existence of several other storage facilities in the vicinity, as well as the plan for the lot to sit back off of the road, similar to several other properties in the area, it will be harmonious both in appearance and in accordance with the general objectives of the City, and will not change the essential character of the area.

The operation of this business will not be hazardous or disturbing to existing or future neighboring uses. Given the nature of a storage lot, it will be relatively low traffic and quiet.

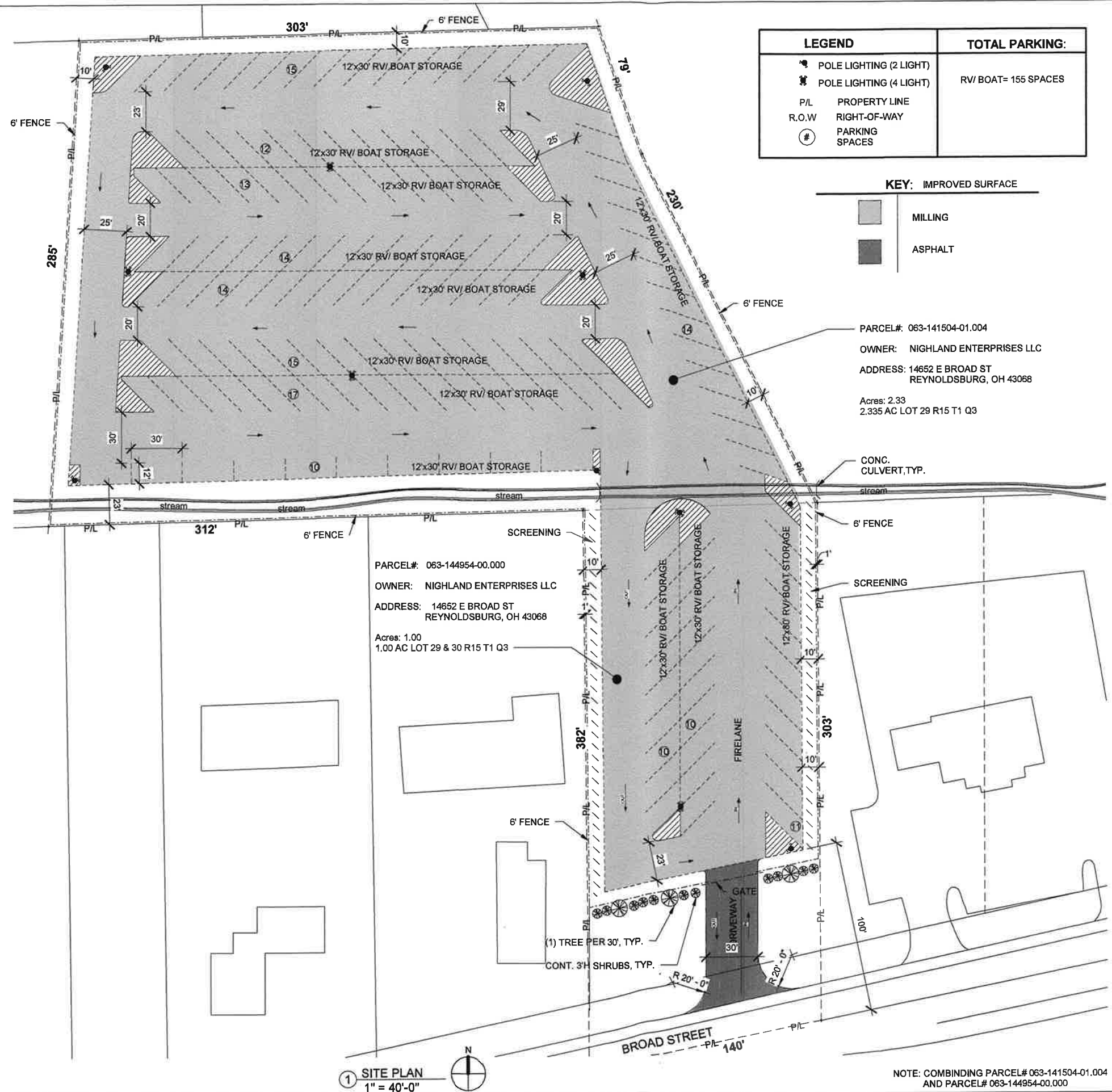
The property is adequately served by the existing public facilities and services, and will not create excessive additional requirements at public cost, and will not be detrimental to the economic welfare of the community. Rather, it will fill an existing demand within the community. Additionally, the runoff created by the paving of the lot will be addressed by an underground basin with several drainage points spread throughout the lot. The basin will drain into the creek running along the south edge of the property. A more thorough stormwater drainage plan, prepared by a civil engineer, will be presented for approval once relevant variance applications, namely the surface type, have been approved or denied. These variance requests will be made pending the approval of this conditional use application.

The operation of this business will not involve any uses, activities, processes, materials, equipment, or conditions of operations that would be detrimental to any persons, property, or the general welfare. Given the nature of the business, it will be a quiet, low traffic business, and the intention is to have a wide enough driveway to allow for vehicles to turn without interfering with traffic.

The lot being developed is currently a grassy field that is blocked from view by trees on all sides. The operation of this business will not result in the destruction, loss, or damage of a natural, scenic, or historical feature of major importance.

Finally, the Code imposes a specific requirement upon Watercraft and/or recreational vehicle storage businesses that "All lighting and lighting used for advertising purposes shall be directed away from surrounding and nearby residential properties by a suitable screen of evergreen shrubs of at least 10 feet in width and 4 feet in height, or a wall at least 6 feet in height above finished grade." Section 1215.05A.9. The lighting on the property will point downward and away from any adjacent properties.

The requested use is a conditionally permitted use under the City's Zoning ordinances, would fit well in the area, and would not put any strain on the public services or the surrounding community. Given the demand in the community for a dedicated RV and Boat storage lot, we ask that this Board grant this conditional use request.



LEGEND	TOTAL PARKING:
POLE LIGHTING (2 LIGHT)	RV/ BOAT= 155 SPACES
POLE LIGHTING (4 LIGHT)	
P/L	PROPERTY LINE
R.O.W	RIGHT-OF-WAY
	PARKING SPACES

KEY: IMPROVED SURFACE

	MILLING
	ASPHALT

PARCEL#: 063-141504-01.004
OWNER: NIGHLAND ENTERPRISES LLC
ADDRESS: 14652 E BROAD ST
REYNOLDSBURG, OH 43068
Acres: 2.33
2.335 AC LOT 29 R15 T1 Q3

CONC.
CULVERT, TYP.

PARCEL#: 063-144954-00.000
OWNER: NIGHLAND ENTERPRISES LLC
ADDRESS: 14652 E BROAD ST
REYNOLDSBURG, OH 43068
Acres: 1.00
1.00 AC LOT 29 & 30 R15 T1 Q3

(1) TREE PER 30', TYP.
CONT. 3" SHRUBS, TYP.

1 SITE PLAN
1" = 40'-0"

NOTE: COMBINING PARCEL# 063-141504-01.004
AND PARCEL# 063-144954-00.000



Consultant
Address
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No.	Description	Date

RV/ BOAT STORAGE PROPOSED SITE PLAN

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker

SP101

Scale 1" = 40'-0"

3/2/2023 12:02:35 PM

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER

Approved By JR May 13, 2022
0115055240000011000 0115055240000010000
0115055240000016000

TRANSFERRED

May 13, 2022
Michael L. Smith
LICKING COUNTY AUDITOR
SEC 319.602 COMPLIED WITH
MICHAEL L. SMITH
By: SAS 1500.00
1 of 2 deeds

InstrID: 202205130012117	5/13/2022
Pages: 4	F: \$50.00 4:08 PM
Bryan A. Long	T20220912688
Licking County Recorder	

GENERAL WARRANTY DEED

Harry Leon Thornton, unmarried, for valuable consideration paid, grants with general warranty covenants to Nighland Enterprise, LLC, an Ohio Limited Liability Company, whose tax mailing address is 14441 E Broad St., Reynoldsburg, OH 43062, the following real property:

Situated in the City of Pataskala, County of Licking and State of Ohio and being further described and delineated in the Exhibits "A", "B", and "C", incorporated herein.

Prior Deed Reference: Instrument Number 201106020010307, Recorder's Office, Licking County, Ohio
Also known as: East Broad Street, Pataskala, OH 43062, 14628 East Broad Street, Pataskala, OH 43062, and 14660/14664 East Broad Street, Pataskala, OH 43062
Auditor's Parcel No.: 063-141504-01.004, 063-144936-00.000, and 063-143574-00.000

Excepting conditions, easements, restrictions, rights of way and zoning and other governmental regulations of record and taxes and assessments not yet due and payable which Grantees assume and agree to pay as a part of the consideration herein.

Executed this 6th day of May, 2022.


Harry Leon Thornton

State of Ohio
County of Licking SS:

The foregoing instrument was acknowledged before me this 6th day of May, 2022, by Harry Leon Thornton.



KELLY GASTINEAU
Notary Public, State of Ohio
My Commission Expires
November 30, 2028

This document prepared by:

HAYES
LAW OFFICES, INC.
A Legal Professional Association

- ☐ MELINDA G. SEEDS
- ☐ C. DANIEL HAYES
- ☒ LAURIE R. WELLS
- ☐ WILLIAM SCOTT HAYES
- ☐ SHEENA A. SJÖSTRAND-POST
- ☐ SAMUEL A. SEEDS

Exhibit "A"

PPN: 063-144936-00.000

Situated in the State of Ohio, County of Licking, and in the City of Pataskala, and being bounded and described as follows:

Being Tract Number Three (3) on an unrecorded Plat and being in Quarter Township Three (3), Township One (1), and Range 15 and more particularly bounded and described as follows:

Beginning at a point in the center line of the Columbus-Granville Road located as follows: from an iron bolt found where the West line of Lot Number 30 crosses the center line of said Road, North 79 deg. 29' East, a distance of 380.38 feet to an angle in the Road; thence North 78 deg 47' East, a distance of 344.58 feet to said beginning point; thence North, passing an iron pipe at 30.6 feet, a distance of 353.82 feet to an iron pipe in the South line of the Teeter Tract;

Thence, along a South line of said Tract, North 89 deg 52' East, a distance of 127.63 feet to an iron pipe; thence South, passing an iron pipe at 298.2 feet, a distance of 328.8 feet to a point in the center line of said Columbus-Granville Road; thence, along the center line of said Road South 78 deg 47' West, a distance of 130.18 feet to the place of beginning: containing One (1) acre, more or less, subject to all legal highways.
14628 East Broad Street, Reynoldsburg, OH 43068

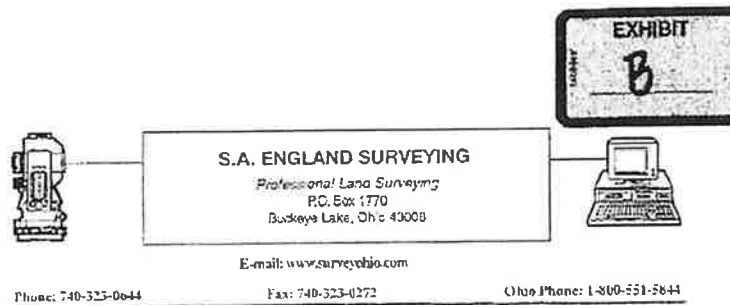
PPN: 063-143574-00.000

Situated in the State of Ohio, County of Licking, and in the City of Pataskala and bounded and described as follows:

Being in the Third Quarter of the First Township in the 15th Range of the United States Military Lands and being more particularly bounded and described as follows:

Beginning in the center line of the Granville-Columbus Road (now known as State Route #16) at a point north 79 deg 28' East 380.38 feet from an iron bolt found where the west line of Lot No. 30 crosses said Road; thence north 78 deg 47' east, along the center line of said Road, 223 feet for the point of beginning of the description of the land hereby conveyed; thence north, passing an iron pipe at 30.00 feet, 377.20 to an iron pipe in the South line of this so-called Teeter tract; thence along a south line of said Teeter tract, north 89 deg 52' east 119.20 feet to an iron pipe; thence south, passing an iron pipe at 323.22 feet, 353.82 feet to the center line of said Road; thence along the center line of said said Road, south 78 deg 47' west 121.58 feet to the point of beginning; containign one (1) acre, more or less, subject to said Granville-Columbus Road. Said Parcel Number 4 in the Subdivision of the so-called URL Beach Tract, as shown in the unrecorded plat of the same made by G.E. Evans, Registered Surveyor, in the month of September 1941.

Subject to all valid and existing easements, conditions, building and other restrictions of record and zoning.
14660/14664 East Broad Street, Reynoldsburg, OH 43068



Legal Description 2.335 Acres

Situated in the City of Pataskala, County of Licking, State of Ohio, and being a part of Lot 29 in the Third Quarter, Township 1N, Range 12W, of the United States Military Lands, and being more particularly described as follows:

Being a Survey to combine 2 parcels conveyed to Harry Leon Thornton, as recorded as recorded in Instrument No. 2011-06020019367, in the Licking County Deed Records, being All of Auditor's P.P.N. 063-141504-01.004, and further described as follows:

Commencing at a 5/8" o.d. iron pin found marking the Southwest corner of Lot 44 of Oak Meadows Section 2, as recorded in Plat Book 13, Pages 13-14, in the Licking County Plat Records, also being the Southeast corner of Lot 45, and being the **PRINCIPLE PLACE OF BEGINNING** of the 2.335 Acre parcel herein to be described:

Thence, N 88°42'50" E 65.40 feet with the South line of said Lot 44, to a 1/2" o.d. iron pin found marking the Northwest corner of a 3.582 Acre parcel conveyed to The Full Armor of God Baptist Church, as recorded in Instrument No. 2002-01030000261;

Thence with the West line of said parcel conveyed to The Full Armor of God Baptist Church, with the following two (2) courses and distances:

- 1) S 19°08'07" E 81.21 feet to a 5/8" o.d. iron pin found;
- 2) S 27°36'32" E 221.75 feet to a 1/2" o.d. iron pipe found marking the Northeast corner of a 1 Acre parcel conveyed to Harry L. Thornton, Sr., as recorded in O.R. Volume 409, Page 735;

Thence, N 89°59'01" W 97.08 feet with the North line of said 1 Acre parcel conveyed to Thornton, to a 5/8" o.d. iron pin found at an angle point;

Thence, S 88°43'55" W 352.88 feet commencing with the North line of said 1 Acre parcel conveyed to Thornton, and extending along the North line of two (2) 1 Acre parcels conveyed to Harry Leon Thornton, as recorded in Instrument No. 2011-06070010307, and extending along the North line of a 0.505 Acre parcel conveyed to Nighland Enterprise, L.L.C., as recorded in Instrument No. 2021-11170332245, to a 1/2" o.d. iron pin found marking the Southeast corner of a parcel conveyed to Dover Development Corporation, as recorded in O.R. Volume 553, Page 845, and passing over a 1/2" o.d. iron pin found at 49.94;

Thence, N 03°40'20" E 274.77 feet with the East line of said parcel conveyed to Dover Development Corporation, to a 5/8" o.d. iron pin found on the South line of Lot 46 of said Oak Meadows Section 2 (P.B.13, Pgs.13-14);

Thence, N 88°42'50" E 237.56 feet with the South line of said Lot 46 and extending along the South line of said Lot 45, to the **PRINCIPLE PLACE OF BEGINNING**, and containing 2.335 Acres, more or less, and is subject to all legal easements, right of ways, zoning restrictions and ordinances of record.

Bearings of the above description are based on the South line of Oak Meadows Section 2, as recorded in Plat Book 13, Pages 13-14, in the Licking County Plat Records, as being N 88°42'50" E, and is an assumed Meridian used to denote angles only.

All iron pins set are 5/8" o.d. iron pins 30" long with red caps labeled "S.A. ENGLAND #5-7452".

The above description was prepared by S.A. England Surveying, under the direct supervision of Scott A. England, Ohio Registered Surveyor #S-7452 in April of 2022.

Dated 4/14/22

Scott A. England P.S.
Ohio Registered Surveyor #7452

File No. 585-2211

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED	CONDITIONAL
<input checked="" type="checkbox"/>	<input type="checkbox"/>
APPROVED BY:	<u>SR</u>
DATE:	<u>05/02/2022</u>



Plat of Survey

City of Pataskala, County of Licking, State of Ohio, pt. Lot 29 in the Third Quarter, Township 1N, Range 15W, United States Military Lands

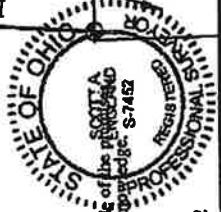
PROPERTY LOCATION:
 Being a Survey of 2 Parcels conveyed to Harry Leon Thornton, as recorded in Instrument No. 2011-06020010307, in the Licking County Deed Records, and being all of Auditor's P.P.N. 063-141504-01.004.

BASIS OF BEARING
 The bearings of this plat are based on the South line of Oak Meadows Section 2, as recorded in Plat Book 13, Pages 13-14, as being N 88°42'50" E, and is an assumed Meridian used to denote angles only.

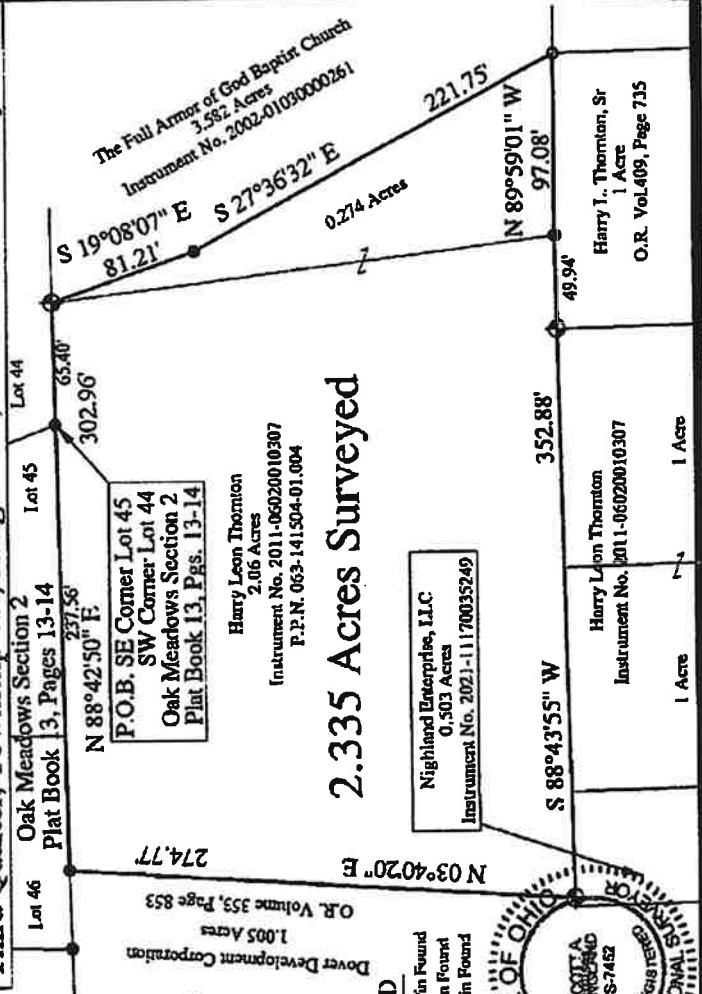


PREPARED BY:
 S.A. ENGLAND SURVEYING
 Professional Land Surveying
 P.O. Box 1770
 Buckeye Lake, Ohio 43008
 PHONE: 740-323-0644
 WWW.SURVEYOHIO.COM

- LEGEND**
- - 3/4" o.d. Iron Pin Found
 - - 5/8" o.d. Iron Pin Found
 - ⦿ - 1/2" o.d. Iron Pin Found



I hereby certify that an actual survey was made of the plat shown and that this plat is correct to the best of my knowledge.
 Date: 4/10/12
 Scott A. England, P.S.
 Ohio Registered Surveyor #S-7452



2.335 Acres Surveyed



DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER

Approved By JR May 13, 2022
0115055240000012000

TRANSFERRED

May 13, 2022
Michael L. Smith
LICKING COUNTY AUDITOR
SEC 319.802 COMPLIED WITH
MICHAEL L. SMITH
By: SAS See previous
2 of 2 deeds 1 conveyance

InstrID:202205130012118	5/13/2022
Page:1	F: \$34.00 4:08 PM
Bryan A. Long	T20220012688
Licking County Recorder	

GENERAL WARRANTY DEED

Harry L. Thornton Sr., unmarried, for valuable consideration paid, grants with general warranty covenants to Nighland Enterprise, LLC, an Ohio Limited Liability Company, whose tax mailing address is 14441 C Broad St, Reynoldsburg, OH 43068, the following real property:

Situated in the State of Ohio, County of Licking, City of Pataskala

Being Tract No. 2 on an unrecorded plat, being in Section 3, Township 1, Range 15, beginning at a point in the center line of Columbus-Granville Road located as follows from an iron bolt found where the west line of Lot 30 crosses the center line of said road N. 79 deg. 29' E. 380.38 feet to an angle in the road; N. 78 deg. 47' E. 474.76 feet to said beginning point; thence, north passing an iron pipe at 30.6 feet, 328.8 feet to an iron pipe in the south line of the Teeter tract; thence along a south line of said tract N. 89 deg. 52' E. 138.2 feet to an iron pipe; thence, south passing an iron pipe at 271.1 feet, 301.7 feet to a point in the centerline of Columbus-Granville Road; thence, along the center line of said road S. 78 deg. 47' W. 140.96 feet to the place of beginning, containing 1 acre, more or less.

Prior Deed Reference: Book 409 and Page 735, Recorder's Office, Licking County, Ohio
Also known as: 14652 East Broad Street, Pataskala, OH 43062
Auditor's Parcel No.: 063-144954-00.000

Excepting conditions, easements, restrictions, rights of way and zoning and other governmental regulations of record and taxes and assessments not yet due and payable which Grantees assume and agree to pay as a part of the consideration herein.

Executed this 6th day of May, 2022.


Harry L. Thornton Sr.

State of Ohio
County of Licking SS:

The foregoing instrument was acknowledged before me this 6th day of May, 2022, by Harry L. Thornton Sr.



KELLY GASTINEAU
Notary Public, State of Ohio
My Commission Expires
November 30, 2025


NOTARY

This document prepared by:

HAYES
LAW OFFICES, INC.
A Legal Professional Association


- ☐ MELINDA G. SEEDS
- ☐ C. DANIEL HAYES
- ☒ LAURIE R. WELLS
- ☐ WILLIAM SCOTT HAYES
- ☐ SHEENA A. SJÖSTRAND-POST
- ☐ SAMUEL A. SEEDS

 BOR
  CAUV
  Dog License
  Downloads
  Forms
  GIS
  Homestead
  Taxes
  Other

- BOR
- Card
- CAUV
- Documents
- Land
- Map
- Parcel
- Pictometry
- Sketch
- Street View
- Structures
- Taxes
- Transfers
- Values

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[Login](#)



Parcel # 

Trouble Searching?



Foreclosure: No
Certified Delq: No
On Contract: No

- BOR
- Card
- CAUV
- Documents
- Land
- Map
- Parcel
- Pictometry
- Sketch
- Street View
- Structures
- Taxes
- Transfers
- Values

[Help](#)
[Login](#)



Parcel #

Trouble Searching?

063 141504-01 002
NIGHLAND ENTERPRISES
LLC
E BROAD ST
REYNOLDSBURG, OH
43068

Acres: 2.35
2.35 AL 107 29-415-11
03

Land: \$31,500
Improv: \$0
Total: \$31,500

Transfer Date:
Amount:
Conveyance:
Valid Sale:

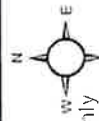
Homestead: No
Owner Occ: No

Foreclosure: No
Certified Delq: No
On Contract: No
Bankruptcy: No
Tax Lien: No

OnTrac Property Map



October 13, 2023



Street Number Only

County Road

Driveway

Interstates

Municipal Corporations

LICKING COUNTY TAX MAP

Centerline Labels

Interstate/US/State Route

Township Road

Other Road Type

Municipal Corporations

LICKING COUNTY TAX MAP

Sales - 2023

Sales - 2022

Interstate/US/State Route

Township Road

Other Road Type

Municipal Corporations

LICKING COUNTY TAX MAP

Licking County Auditor GIS